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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Michael J. Young et al.
Application No. : 09/913,427
Filed : October 12, 2001
For : INTEGRATION OF TRANSPLANTED NEURAL PROGENITOR
CELLS INTO NEURAL TISSUE OF IMMATURE AND MATURE
DYSTROPHIC RECIPIENTS
Attorney's Docket : ERI-113XX

Group Art Unit: (Not yet assigned)

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I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, Washington, D.C. 20231 on
Nov 16, 2001.

By: Holliday C. Heine
Holliday C. Heine, Ph.D.
Registration No. 34,346
Attorney for Applicant(s)

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

It is desired to cite for the record in this application the
enclosed references listed on the attached copy of PTO Form #1449. The
paragraph(s) marked below are applicable to this Information Disclosure
Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached
Information Disclosure Statement is being filed within three
months of the filing date of the above identified national
application or within three months of the date of entry of the
national stage as set forth in 37 C.F.R. § 1.491 of the above
identified application. Accordingly, applicant(s) believes that
no fee or statement under 37 C.F.R. § 1.97(e) is required.

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[X] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

[] a statement under 37 CFR § 1.97(e); or

[] the fee set forth in § 1.17(p).

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PETITION UNDER 37 CFR § 1.97(d)

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[] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

[] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

[] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure

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Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

MICHAEL J. YOUNG ET AL.

By:

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Date: November 16, 2001

Page 1 of 1

Form PTO-1449
(REV. 07/01)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

APPLICATION NO.

ERI-113XX

09/913,427



INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

APPLICANT:

Michael J. Young et al.

FILING DATE

October 12, 2001

GROUP

Not yet assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
	5,539,046	10/25/1994	Capon et al.	536	23.4	

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
WO 99/55838	11/04/1999	WIPO	C12N	5/00	
WO 99/21966	05/06/1999	WIPO	C12N	5/06	
WO 97/35605	10/02/1997	WIPO	A61K	38/18	
WO 96/15226	05/23/1996	WIPO	C12N	5/06	
WO 96/09543	03/28/1996	WIPO	G01N	33/50	
WO 95/13364	05/18/1995	WIPO	C12N	5/06	
WO 94/16718	08/04/1994	WIPO	A61K	37/00	
WO 94/10292	05/11/1994	WIPO	C12N	5/06	
WO 94/09119	04/28/1994	WIPO	C12N	5/08	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

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EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.